



City of East Grand Rapids
Regular City Commission Meeting
Agenda

July 5, 2016 – 6:00 p.m.
(EGR Community Center – 750 Lakeside Drive)

1. Call to Order and Pledge of Allegiance.
2. Public Comment by persons in attendance.
3. Report of Mayor and City Commissioners.

Regular Agenda Items

4. Review of a special land use application and site plan approval requested by Calvin College (action requested).
5. Adoption of policy on sewer backup claims (approval requested).
6. Election of President for FY 2016-17 (action requested).

Consent Agenda – Approval Requested

7. Receipt of communications.
8. Minutes of the regular meeting held June 20, 2016 (approval requested).
9. Report of Finance Committee on disbursement of funds: payroll disbursements of \$219,522.33; county and school disbursements of \$-0-, and total remaining disbursements of \$220,180.44 (approval requested).
10. Repairs to sidewalk and street drainage on Beechwood at Lake Grove (approval requested).
11. Emergency valve replacement on Berwyck at Danby (approval requested).
12. Repairs to gravel roads (approval requested).

* * *



MEMORANDUM

TO: East Grand Rapids Mayor and City Commission
FROM: Thomas A. Faasse, Zoning Administrator
DATE: June 22, 2016
RE: **Special Land Use Application & Site Plan Review – Calvin College Campus
3222 Lake Drive (41-18-02-151-003) & 3120 Lake Drive (41-18-03-276-015)**

Action Requested:

July 5, 2016: The City Commission is requested to introduce, review and set a public hearing for its next regular meeting regarding the application of Calvin College for Special Land Use status and site plan approval for the areas of the campus that are in the City of East Grand Rapids. The Planning Commission has recently reviewed and recommended to the City Commission that this application be approved.

July 18, 2016: The City Commission is requested to hold a public hearing and to vote on the above application.

Background: The purpose of the current process is not to approve a new development or even a major change in an existing development, but simply to recognize the existing situation at the portion of the Calvin College Campus that is situated in the City of East Grand Rapids, and to bring it into alignment with the zoning ordinance. All of the campus area in East Grand Rapids is zoned R-1 Single Family Residential, but the existing and proposed uses of the property are not currently named in the zoning ordinance as allowed uses in that zone or any other zone, either as permitted uses or as special land uses.

In 2007, a small portion of the Calvin College campus containing the former college president's residence known as "Ravenswood" (3222 Lake Drive, SE) came to East Grand Rapids by way of an Act 425 Agreement – a land swap – between the cities of Grand Rapids and East Grand Rapids. In order to avoid straddling the city boundary with Calvin's planned expansion of their fieldhouse, the cities traded parcels as permitted by state law. In early 2016, the College inquired about the zoning implications of changing the use of the Ravenswood residence to theme-centered student housing for up to eight students plus a mentor. The proposal includes no building modifications. The college had been using the house as short term housing for visiting faculty. This "guest house" type of use does not fit the definition of "family" in the city zoning ordinance, and it is therefore a nonconforming use. Neither the proposed student housing use nor the existing guest house use are listed in our zoning ordinance as permitted uses, either by right or as a special land use in the R-1 Single Family Residential zone. In a related issue, the adjacent campus area (identified as 3120 Lake Drive) that is occupied by ponds and athletic fields has been in East Grand Rapids since Calvin acquired the Knollcrest Campus in the 1950s. However,

these are also nonconforming uses, since athletic fields and their appurtenant structures are not a listed or allowed use in the R-1 District, except under public ownership.

Paul LeBlanc of LSL Planning, Inc., the city’s planning consultant, has provided a memorandum to city staff recommending that the best option to address this situation is the “Similar Uses” procedure described in our zoning ordinance (Chapter 50, Section 5.75A). Briefly, if the proposed use is not listed as allowed in any zoning district, this procedure allows the Director of Public Works to use his authority to interpret the zoning ordinance. If the Director finds that the proposed use closely resembles another use that *is* allowed as a permitted use or as a special land use, then certain steps may be taken in order to “legitimize” the proposed use. (See the attached bullet point handout.)

The Director has determined that the existing uses most closely resemble the “Private and Parochial School” subcategory that is allowed in R-1 as a Special Land Use. A proposed subcategory, “College Residential Campus”, should be created and included under the existing general heading of “Public and Institutional Uses”. This subcategory would then include the proposed student housing use, the existing outdoor athletic facility use, and other appropriate and potential uses that are customary and ancillary to a college campus.

The ordinance’s “similar use” procedures require that “...*the proposed use shall comply with any specific standards or other ordinance requirements that apply to the named use. If the named use is a special land use, the similar use may only be approved according to the requirements of Section 5.94...*,” that is, by filing a Special Land Use application and meeting the standards necessary for approval. In addition, the zoning ordinance contains other specific standards for Private or Parochial Schools in a Residential District, found in Article 8, Section 5.73C. When you review the college’s application for Special Land Use you will see that they have provided a thorough analysis of the situation and a complete review of both sets of the aforementioned standards. City staff agrees with the applicants’ conclusion that all of the Special Land use standards are either met or that they are not applicable. Similarly, the additional zoning requirements and standards provided for “private and parochial schools” are either met, or were meant to apply only to a day school campus, as they did not envision a larger post-secondary residential campus.

The East Grand Rapids Planning Commission met to consider Calvin’s application on May 10, 2016, and then held a required public hearing on June 14, 2016. They then voted to recommend that the City Commission approve this application. The Planning Commission vote was without dissent, and their recommendation was without any attached conditions.

Please note that the Site Plan Review which is required in all Special Land Use applications is included in Calvin’s application, but it is cursory because no physical changes are proposed. There is no proposal to overhaul the existing development, which by all reports has been functioning well in the surrounding community for many years.

The “similar use” procedures further require that the Director of Public Works shall initiate an amendment to the zoning ordinance to list the similar use in the schedule of uses for the zoning district. Staff plans to do so following the conclusion of the college’s application for Special Land Use.



CITY OF EAST GRAND RAPIDS
 750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506



Zoning Review Application

Project Name Calvin College - Ravenswood
 Property Address 3222 Lake Drive and 3120 Lake Drive, East Grand Rapids, Michigan
 Project Description Please see attachment

Type of Request (check)	Fee
<input type="checkbox"/> Site Plan Review (Administrative)	\$200*
<input type="checkbox"/> Site Plan Review (Intermediate)	\$300*
<input type="checkbox"/> Site Plan Review (Complete)	\$500*
<input type="checkbox"/> Rezoning Application	\$800
<input checked="" type="checkbox"/> Special Use Permit	\$500
<input type="checkbox"/> Planned Unit Development	\$1,000*

(attach separate sheet if necessary)

*Escrow fees may also be required.

Permanent Parcel Number 41-18-02-115-003 (Ravenswood 3.6 acres)
41-18-03-276-016 (24 acres)
 Zoning District R.1
 Current Property Use Institutional/Private School

Contact Information (Please provide email addresses.)

	Company	Address	Contact Person	Daytime Phone
Applicant	Varnum, LLP	Bridgewater Place, P.O. Box 352, (mdzimmerman@varnumlaw.com)	Matthew D. Zimmerman	338-6536
Owner	Calvin College	3201 Burton, S.E. Grand Rapids, MI 49546-4388	Sally VanderPloeg (svploeg@calvin.edu)	526-7112
Developer				
Designer				

See the back of this form for items that must be attached to this application at the time of submission.

Sally VanderPloeg
 Property Owner Signature
 Vice President for Administration & Finance, CFO
4/11/16 Calvin College
 Date

Matthew D. Zimmerman
 Applicant Signature (if different)
4/11/16 Varnum LLP
 Date

Attachments Required For Preliminary Review

	Site Plan Review			Rezoning Application	Special Use Permit	Planned Unit Development
	Administrative	Intermediate	Complete			
A narrative describing the overall objective of the proposed project	X	X	X	X	X	X
Site Plan Drawings showing:						
A. Name of Applicant	X	X	X	X	X	X
B. North arrow	X	X	X	X	X	X
C. Legend	X	X	X	X	X	X
D. Scale of drawing	X	X	X	X	X	X
E. A location map w/exact location of project and surrounding area	X	X	X	X	X	X
F. Location, size, appearance of any existing or proposed signs	X	X	X	X	X	X
G. Location and type of exterior lighting	X	X	X	X	X	X
H. Screening and buffering with reference to dimensions and character	X	X	X	X	X	X
I. Dimensions of setbacks, locations, heights and size of buildings and structures	X	X	X	X	X	X
J. Proposed parking areas with lines showing individual spaces – include all barrier-free parking.	X	X	X	X	X	X
K. Highlights of changes made from existing building(s), parking or site plans.	X					
L. Locations of fire hydrants, curbs, gutters, utility lines, easements.	X	X	X	X	X	X
M. Topography of site			X	X	X	X
N. Proposed grading			X	X	X	X
O. Drainage, storm and sanitary sewers			X	X	X	X
Environmental Impact			X		*	*
Fiscal Impact Analysis			X		*	*
Traffic Impact Analysis			X		*	*

* Depending on the scope of the development, these items may be required.

This list is provided as a summary of ordinance requirements, and additional information may be required in some cases. Please see the appropriate section of the City's zoning ordinance for complete details of all the above.

**ATTACHMENT TO ZONING REVIEW APPLICATION
FOR CALVIN COLLEGE**



Project Description: The northeast portion of Calvin College’s (“Calvin’s”) main campus is located in the City of East Rapids (see Attachment A). It contains the following improvements: a baseball field; two practice fields used for soccer, lacrosse and field hockey; and a house. The house is named “Ravenswood” and is located on the west side of the north access entrance to the campus off of Lake Drive. Ravenswood historically housed the school president and in more recent times was used for out of town visitors having business with Calvin. It has approximately 3,095 sq. ft., with five bedrooms and five and one-half bathrooms on one and a half stories. There is a full kitchen, a dining room, a living room and a completed basement. Calvin plans to utilize Ravenswood to house a total of eight students and one adult mentor beginning with fall semester in 2016¹. The remainder of the house will be communal space for all students. Ravenswood has a three-stall detached garage and sufficient parking areas to accommodate additional vehicles. . The number of vehicles will be limited to four. There also is a small accessory structure between the house and garage used for storage. The students would be in their junior or senior years and would be specially selected by the College.

Compliance with Zoning Ordinance Standards.

Calvin’s current and proposed uses of its property (student on-campus group housing, outdoor sports facilities and accessory storage building) in East Grand Rapids would best be described as institutional or college/residential campus uses. These uses are not specifically listed in the East Grand Rapids zoning ordinance. Article 8, Section 5.75A allows “similar uses” as determined by the Director of Public Works. It is Calvin’s understanding that the Director of Public Works has determined Calvin’s current and proposed uses of its property in East Grand Rapids to most closely resemble “Public and Institutional Uses,” and more specifically “Private or Parochial School” uses. These uses are permitted in the R-1 District only as Special Uses.

While the proposed change in the use of Ravenswood is what prompted Calvin to pursue this special use, following discussions with the City’s Zoning Administrator, Calvin agreed to include all of its property in East Grand Rapids within this application. The other current uses (athletic activities on the three existing fields-see Attachments A and C) would continue as has been the case for the past many years. Those fields are quite isolated from the surrounding area in East Grand Rapids. The closest field is approximately 250 feet from Lake Drive and approximately 100 feet from the nearest homes on the east side of Woodcliff Avenue. These

¹ Four of the five bedrooms are comparable in size to dormitory rooms on campus and can hold two students. The fifth bedroom is a converted garage and is about twice the size as the other bedrooms. Calvin plans to house the mentor in this room for the foreseeable future. But Calvin would like to have the flexibility of placing up to four students in that bedroom and moving the mentor to one of the other bedrooms. That would result in ten students plus the mentor. Thus, if the Planning Commission recommends adding a condition to its recommendation of approval of the special use limiting the maximum number of people living in Ravenswood, Calvin requests that the number be set at eleven.

fields are screened by heavy tree cover and are substantially lower in grade than the elevation at Lake Drive and at Woodcliff Avenue. The continuation of these activities meets the standards discussed below for much the same reason as the proposed use of Ravenswood.

Attachments A and B will serve as the required site plan. Please let us know if additional detail is required.

I. **Article 11 Special Land Use, Section 5.94, Review Standards**

A. **The proposed use will comply with the general objectives and land use policies of the City of East Grand Rapids Master Plan.**

Both the proposed new use of Ravenswood and the continued use of the athletic fields on the Calvin property located in East Grand Rapids comply with the general objectives and land use policies of the City's Master Plan. This property is designated in the future land use map as public/quasi-public use. These college activities are quasi-public. The proposed uses are open to the members of the public who applied for and were granted admission to the College.

B. **The proposed use will be designed, constructed, operated, and maintained so it is appropriate and harmonious with the intended character and appearance of the surrounding area; will be compatible with the intent of the zone district; and will not change the essential character of the surrounding area.**

Ravenswood is harmonious with the character of adjacent property in the surrounding area. It is of the same type and size of the closest houses in East Grand Rapids. The closest house located in East Grand Rapids is on the north side of Lake Drive and is approximately 325 feet away (approximately 250 feet to the lot line) (see Attachment C).² The entire area in between is comprised of thick tree cover and a portion of a pond. The closest house on the south side of Lake Drive within the City of East Grand Rapids is approximately 575 feet away, and the area in between is also thick tree cover and a pond (see Attachments A and C). Ravenswood is screened from Lake Drive by this heavy tree cover as well. It has never had an adverse effect on the character of the property in East Grand Rapids and after its new use it will continue to be harmonious with adjacent property in East Grand Rapids. Neither the current athletic uses, nor the proposed use of Ravenswood will change the essential character of the surrounding area within East Grand Rapids.

C. **The establishment, maintenance, location or operation of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that zone district.**

² The houses directly across Lake Drive from Ravenswood are located in the City of Grand Rapids.

All of the surrounding property adjacent to Calvin's property in East Grand Rapids is already developed. If Calvin ever proposes additional development within the City, it will seek to modify the proposed special use approval.

D. The establishment, maintenance, location, or operation of the proposed use will not be detrimental to or endanger the health, safety, or general welfare of any persons; will not be injurious to or conflict with the use or enjoyment of neighboring property for the purposes permitted; and will not result in any significant adverse impact on the natural environment.

The existing athletic uses and the proposed student residential use of Ravenswood will not be detrimental to the health, safety or general welfare of any current uses of property in East Grand Rapids. On the contrary, the expansive open green space is a benefit to surrounding properties. It enhances the natural environment with its tree cover and other landscaping. The ponds and pervious surfaces provide the best natural storm water management system possible. The facilities have all been developed. They are well maintained and are screened from adjacent properties in East Grand Rapids.

E. The proposed use will not involve activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

There would be no hazardous substance use in Ravenswood, nor would the residential activity there create hazardous or potentially hazardous situations. Neither the existing athletic uses nor the proposed student housing of use in Ravenswood either currently involve or will involve the excessive production of traffic, noise, smoke, fumes, glare, or odors. The athletic facilities may currently create some low level of noise, but that is screened by the surrounding wooded area. In addition, these activities only take place during daylight hours.

Any traffic generated by the athletic fields currently exists. While the number of vehicles using Ravenswood might be slightly in excess of the residential properties in the surrounding area of East Grand Rapids, the number of trips generated would probably not be any different, or even less. The students living at Ravenswood would walk to classes and other campus activities. Moreover, even if Ravenswood generated the same number of external trips as a typical residential structure in East Grand Rapids, and even if all of those trips utilized the north access drive from campus (and not the other four campus exit drives³), it would add an insignificant number of trips compared to the current use of that access road and Lake Drive. There is ample on-campus parking on Calvin property located within the City of Grand Rapids. The four access roads from the campus are on major roads (E. Beltline, Burton and Lake).

³ There are two exits to southbound E. Beltline, one exit to northbound E. Beltline, and one exit to Burton Street. In addition, there is an exit to E. Paris, but a gate on that route is usually closed unless athletic events are taking place.

F. Adequate utilities, highways, streets, access, drainage structures, police and fire protection, refuse disposal, schools, and other necessary services or facilities have been or will be provided to serve the proposed use; the proposed use will not place undue demands on public services or facilities that result in exceeding their capacity.

The use of Ravenswood for student housing will not increase demands on public services provided by East Grand Rapids. Campus security would handle most of the police functions there. The increased use of public water and sewer would not impact the City in any way. The students would not utilize the public school system in East Grand Rapids.

The current athletic activities and proposed student housing use for the renovated Ravenswood generally do not involve the utilization of highways, fire protection, refuse disposal, or other necessary services. The athletic fields are nearly 100% pervious surfaces and thus will handle any stormwater through infiltration. In addition, the property has a large pond system that will handle stormwater from the Ravenswood area.

G. The proposed use will, in all other respects, conform to the applicable regulations of the zone district in which it is located, specific requirements of Article 8, all conditions of approval, and all other applicable provisions of law, ordinance, or statute.

The existing athletic facilities and the proposed student housing use of a Ravenswood meet the requirements of Article 8. (See Section II. below.)

II. Article 8 Additional Use Requirements, Section 5.73 Public and Institutional Uses, Private or Parochial School.

1. The minimum lot area shall be one acre.

The area between Lake Drive, the northern access road to the campus, Knollcrest Circle and the pond is well in excess of one acre (3.6 acres-see Attachment B). The Calvin property within East Grand Rapids totals approximately 27.6 acres.

2. The minimum lot width shall be 150 feet.

The portion of the Calvin property that Ravenswood occupies (bounded by Lake Drive to the north, the northern access road to the campus to the west, Knollcrest Circle to the south and the East Grand Rapids boundary north of Lake Drive extended south into the pond to the west-see Attachment B) is over 200 feet wide. The entire parcel in East Grand Rapids is approximately 775 feet wide on the north side and approximately 350 feet wide on the south side.

3. At least one property line shall abut and have direct access to an arterial or collector street.

The property abuts Lake Drive on its north boundary. Ravenswood fronts on the College's north access drive which connects to Lake Drive.

4. All buildings, parking areas and outdoor activity areas (ball fields, playgrounds, bleachers, etc.) shall be set back a minimum of 40 feet from any side or rear property line abutting a residential district.

The area of campus within East Grand Rapids occupied by Ravenswood has a setback of approximately 150 feet from Lake Drive to the north. The other three directions are campus property and have even greater setbacks from closest properties in East Grand Rapids. The athletic fields are approximately 100 feet from the closest houses on Woodcliff Avenue, and are screened with heavy tree cover.

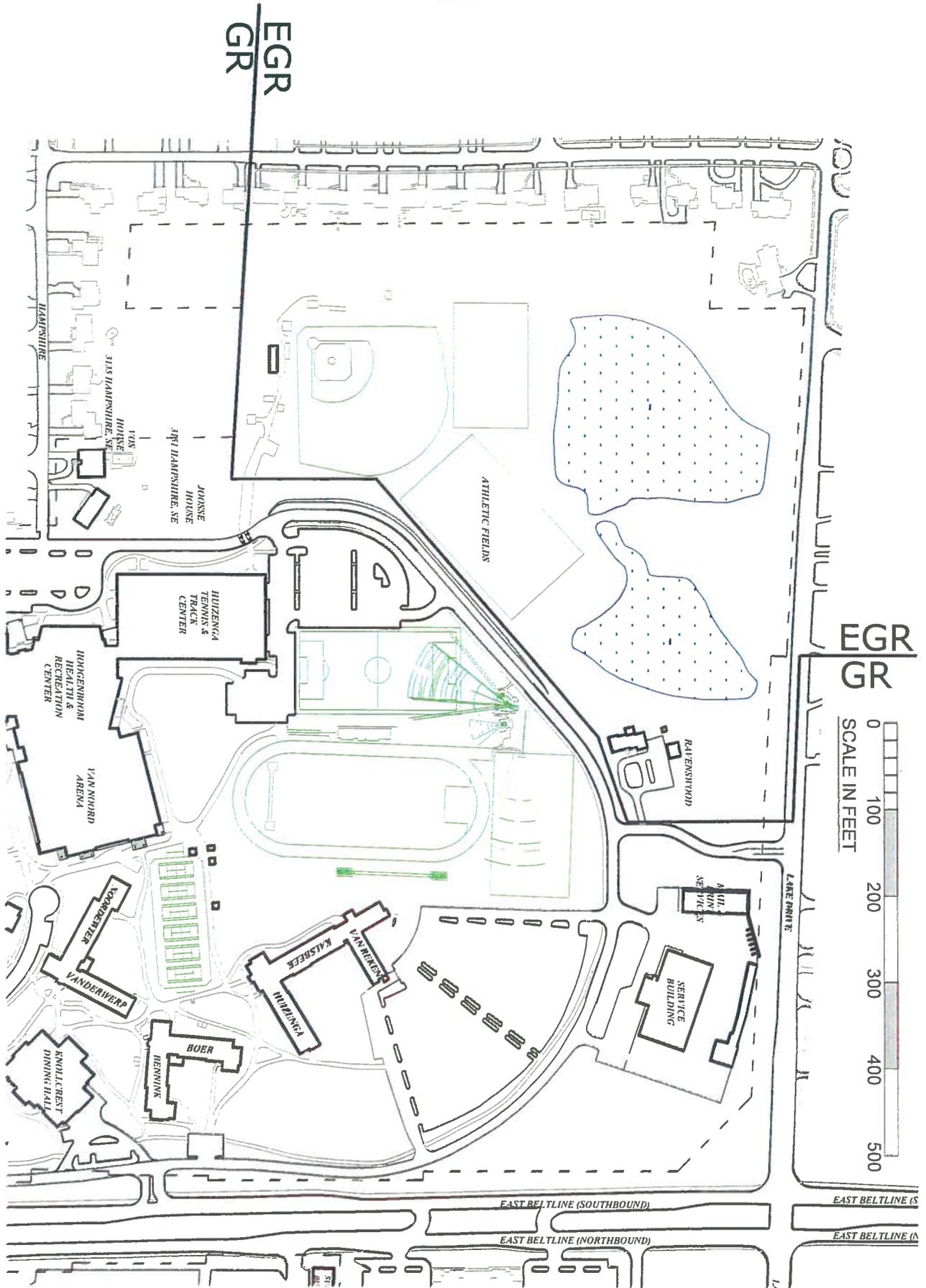
5. A six-foot high fence shall be constructed along any side or rear property line abutting a residential district.

Calvin owns two of the seven houses located on Hampshire Blvd. adjacent to the south boundary of the athletic fields (these are in the City of Grand Rapids). The houses are more than 200 feet away from the baseball field, and are separated by heavy tree cover. The houses on Woodcliff Avenue are approximately 100 feet from the athletic fields. They are separated by heavy tree cover. The grade of the athletic fields is substantially lower than the grade of the houses on both streets. Thus the fencing requirement is unnecessary.

6. Lighting for night time activity areas shall be directed and shielded so the light sources is not visible from any residential use within 150 feet of the light fixture. All lighting, including building and security lighting, shall be located to prevent glare on adjacent properties and streets.

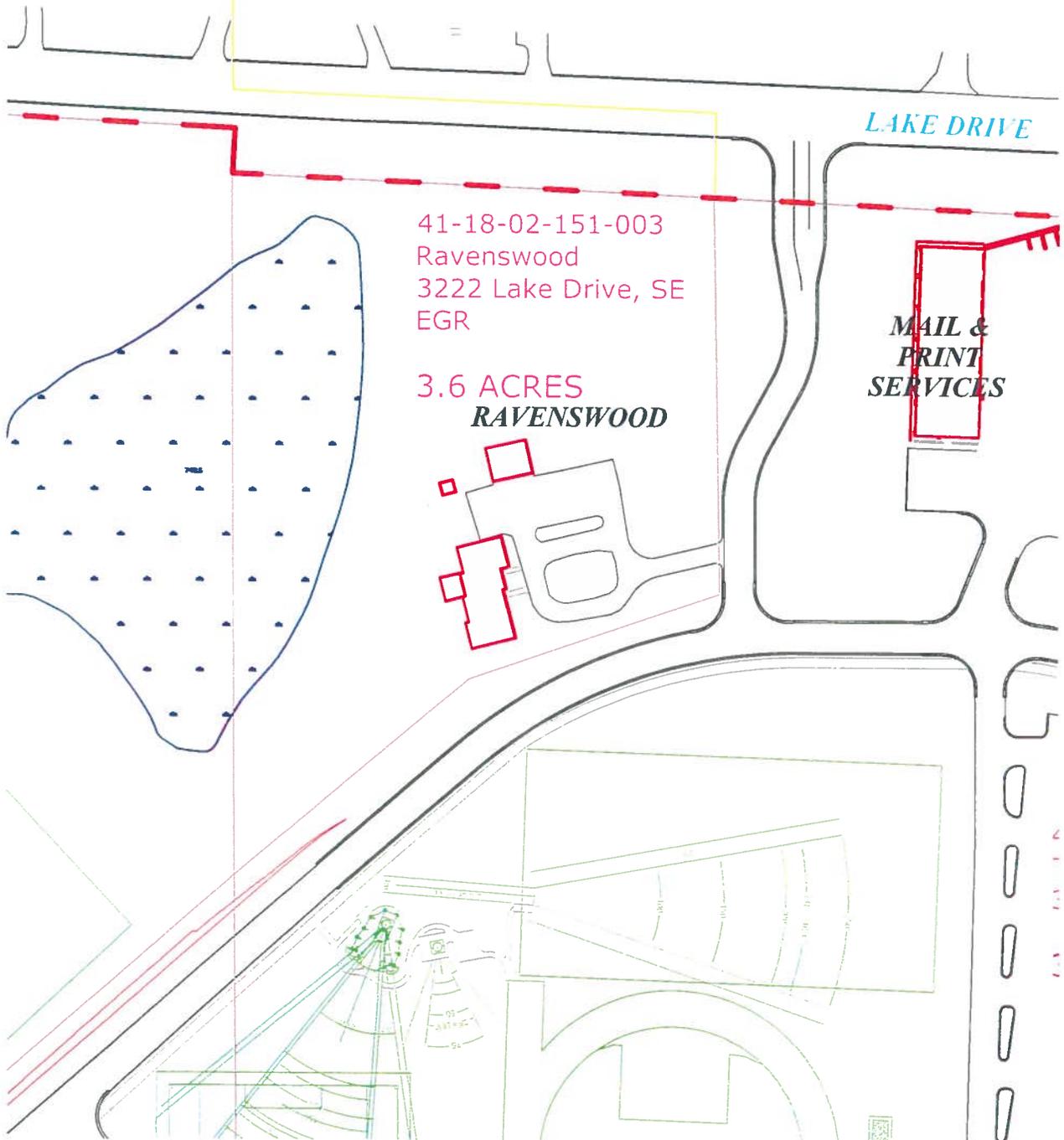
The athletic facilities do not utilize lighting for night time activity. Ravenswood is more than 150 feet from any residential use within East Grand Rapids. Any lighting there is adequately shielded by thick tree cover.

ATTACHMENT A



ATTACHMENT B

EGR
GR



41-18-02-151-003
Ravenswood
3222 Lake Drive, SE
EGR

3.6 ACRES
RAVENSWOOD

LAKE DRIVE

**MAIL &
PRINT
SERVICES**

1 2 3 4 5 6 7 8 9 10 11 12

ATTACHMENT C



**CITY OF EAST GRAND RAPIDS
ZONING ORDINANCE**

**SUMMARY OF PROCESS
TO ADD AN UNLISTED LAND USE TO THE ORDINANCE**

- Applicant requests a certain land use
- Director determines that the use is not listed in the zoning ordinance for any zoning district, either as a permitted use or as a special land use
- Director interprets that the use is similar to a listed use, but that the proposed similar use is a special land use, not a use permitted by right
 - Options:
 - Apply to amend zoning ordinance – lengthy process and special land use application required after that
 - Apply for a Use Variance – not legally likely to succeed and not flexible in the future
 - Use “similar use” procedure in zoning ordinance, Section 5.75A
- Applicant applies for Special Land Use, which includes Site Plan Review
- Planning Commission holds a public hearing
- City Commission holds a public hearing
- If Special Use approved by Planning Commission and then by City Commission, staff initiates zoning ordinance amendment to include new land use



CUSENZA VINCENT & TAMMY
3000
LAKE DR SE

CLAUSE PAMELA J TRUST
1410
WOODCLIFF DR SE

JONES STUART & WENDY
3040
LAKE DR SE

WEDDELL LORIN J
1424
EDGEWOOD AVE SE

CHU YIJI & AMANDA
1418
WOODCLIFF DR SE

STODDARD SUSAN
1427
WOODCLIFF DR SE

BUCKINGHAM EMILY & RALPH
1428
WOODCLIFF DR SE

EMMITT TIM & GAIL
1450
EDGEWOOD AVE SE

FABER PETER
1440
WOODCLIFF DR SE

RUNYON MATTHEW & LISA
1450
WOODCLIFF DR SE

MAPLEWOOD DR

CALVIN COLLEGE & SEM
3120
LAKE DR SE

CALVIN COLLEGE
3222
LAKE DR SE

ANDERSON JOHN F & KELLY
1504
WOODCLIFF DR SE

CONWAY DANIEL E
1514
EDGEWOOD AVE SE

JONES STEVEN D
1512
WOODCLIFF DR SE

FOCHLER DIRK &
1520
EDGEWOOD AVE SE

ALT WILLIAM & KIM
1520
WOODCLIFF DR SE

GIBB M. CRISTINA TRUST
1525
WOODCLIFF DR SE

EASLEY ROBERT W
1540
WOODCLIFF DR SE

ZERIAL MATTHEW E
1543
EDGEWOOD AVE SE

VARLEY ERIC & JESSICA &
1565
WOODCLIFF DR SE

CANNON HELEN M TRUST
1541
WOODCLIFF DR SE

COST JODIE S
1562
EDGEWOOD AVE SE

GRIFFIN INAJEAN
1564
WOODCLIFF DR SE

CALVIN COLLEGE
3073
HAMPSHIRE BLVD SE

HAAKSMA DALE
3101
HAMPSHIRE BLVD SE

CALVIN COLLEGE
3140
LAKE DR SE

CALVIN COLLEGE
3205
BURTON ST SE

CALVIN COLLEGE
3235
BURTON ST SE

CALVIN COLLEGE
3240
LAKE DR SE

LAKE DR

CALVIN COLLEGE DR

KNOLLCREST CIR

EDGEWOOD AVE

VALENTINO MICHAEL & VERONICA
3131
LAKE DR SE

SCHAD BRANDON
3159
LAKE DR SE

CAMPOS LUCAS
3161
LAKE DR SE

TRIERWEILER DARYL J STACY L TRUST
3219
LAKE DR SE

LIERLE WILLIAM B
3221
LAKE DR SE

PARTOGIAN KATHLEEN
3225
LAKE DR SE

LAKE SHILLC & VANHORN CEEJAE
3339
LAKE DR SE

HENDRICKS DAVID N & BETSY A
3155
LAKE DR SE

CONNOR SANDRA J TRUST
3157
LAKE DR SE

CALVIN COLLEGE & SEM
3120
LAKE DR SE

CALVIN COLLEGE
3222
LAKE DR SE

CALVIN COLLEGE
3240
LAKE DR SE

CALVIN COLLEGE
3140
LAKE DR SE





41-18-02-151-003

3222 LAKE DR SE

2013 FRONT VIEW



City of East Grand Rapids, Michigan

CITY OF EAST GRAND RAPIDS CITY COMMISSION NOTICE OF PUBLIC HEARING

The application of Calvin College for a special land use designation for the area of the campus that is in the City of East Grand Rapids will be introduced during the regularly scheduled meeting of the East Grand Rapids City Commission on Tuesday, July 5, 2016. A public hearing will be held at the next regularly scheduled commission meeting on Monday, July 18, 2016. No new development is proposed, but the college is proposing to use the existing "Ravenswood" house at 3222 Lake Drive, SE, for theme-centered housing for eight students and a live-in mentor. This use and the other existing campus uses, including athletic fields, are technically nonconforming with the existing R-1 Single Family zoning designation, and they are uses that are not specifically listed in the zoning ordinance. Under the "Similar Uses" procedures in the Zoning Ordinance (Chapter 50, Article 8, Section 5.75A), the Director of Public Works has determined that the uses are in the "Public and Institutional Uses" category and that they are similar to the "Private and Parochial Schools" subcategory, uses which may be permitted in all residential zones as special land uses. A special land use designation will better align the existing situation with the zoning ordinance and provides a process for any future requests. This hearing is held by the City Commission as required in Article 11 of the East Grand Rapids Zoning Ordinance, following the Planning Commission's recommendation to approve following its public hearing on June 14, 2016.

The application and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

The City Commission welcomes your views in this matter. You may comment at the scheduled meeting or write to the City Commission, 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506, or send an email to the recording secretary, Lynda Taylor, at ltaylor@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address. Questions regarding this application may be directed to the Zoning Administrator at (616)940-4817, or by email to tfaasse@eastgr.org.

DATE: Monday, July 18, 2016
TIME: 6:00 p.m.
PLACE: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506

Thomas A. Faasse
Zoning Administrator

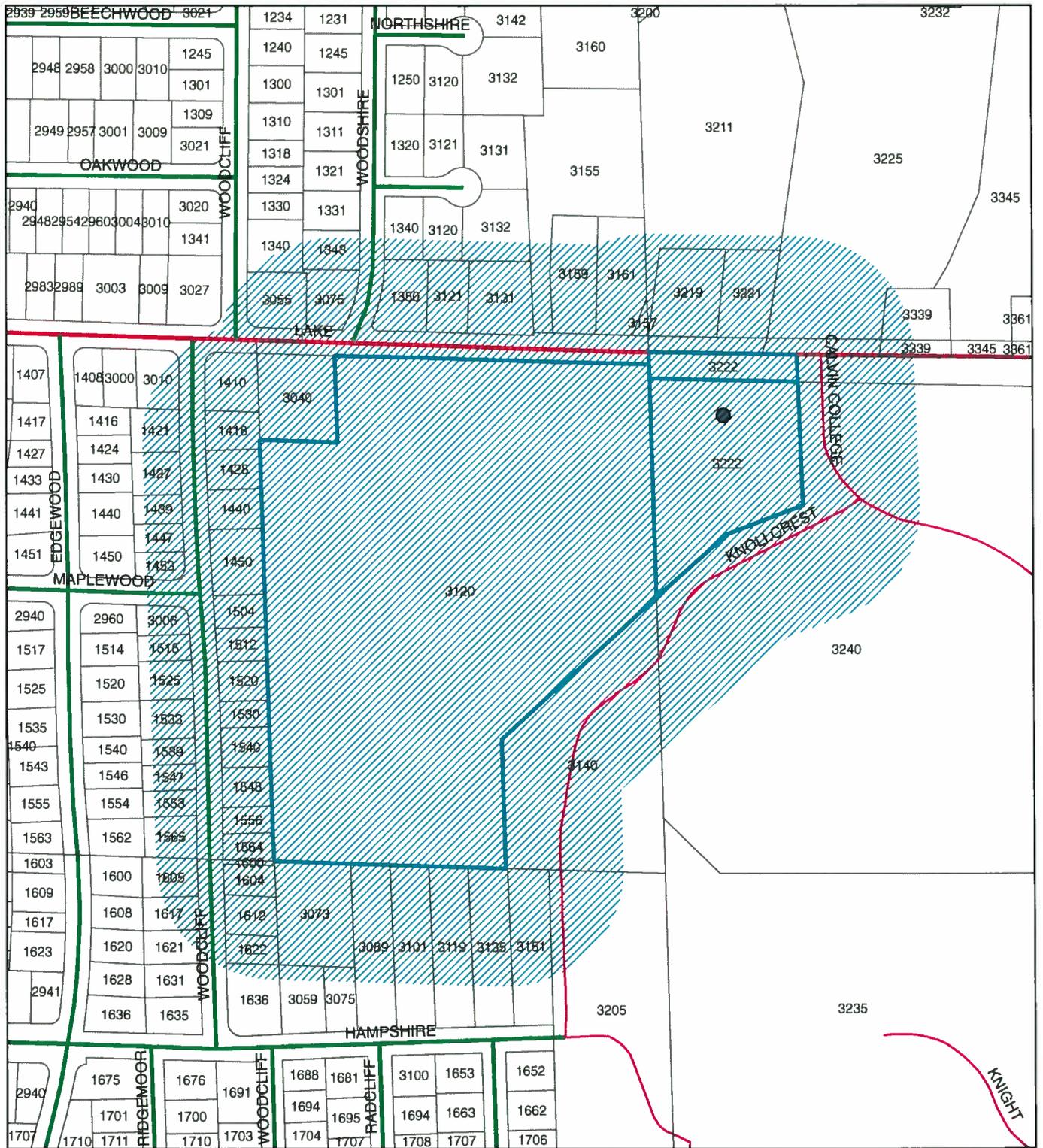
56
noticed sent
jt

MENT - ENGINEERING DIVISION

Rapids, Michigan 49506
(616) 831-6121 www.eastgr.org

Partners with





Calvin College - Special Land Use
 3222 Lake Drive, S. E.
 East Grand Rapids, MI





CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

BRIAN DONOVAN
CITY MANAGER

MEMORANDUM

TO: Mayor and City Commissioners
FROM: Brian Donovan, City Manager
DATE: June 24, 2016

RE: City Sanitary Sewer Backup Policy

Action Requested: That the City Commission adopt the attached City of East Grand Rapids Sanitary Sewer Backup Claim Policy.

Background: Michigan law (State of Michigan Public Act 222 of 2001) provides clear guidance for when a municipality can be held liable for homeowner damages related to a sanitary sewer backup. City staff and City Attorney have created a new City of East Grand Rapids Sanitary Sewer Backup Claim Policy that follows state law.

City Attorney John Huff states “This proposed policy follows the provisions of state law regarding municipal liability for sanitary sewer backups. It also encourages homeowners to obtain insurance to protect against such backups and to install various devices to minimize the possibility of such backups. Finally, it reminds property owners that they are responsible for problems that occur in the lateral which connects their home to the sanitary sewer main in the street.”

If the policy is adopted by the City Commission, city staff plans on using these methods to communicate the policy to homeowners:

- Send a letter to every property owner in East Grand Rapids
- Place the information on the back of the monthly water/sewer bill
- Place the information in the City’s website (Permanent)
- Place the information in the City’s e-newsletter, Facebook page, etc.
- Place the information in the new resident packet and directly send letter to each new resident.

The communications content will include details on the sanitary sewer backup policy, recommending that every homeowner obtain a sewer backup rider insurance policy for their home, recommending homeowners install a backwater prevention valve in their sanitary sewer service line, and a reminder that homeowners are responsible for their sanitary sewer lateral.

I recommend that the City Commission approve the attached City of East Grand Rapids Sanitary Sewer Backup Claim Policy.

BD/kb/9159
Attachment



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

Sanitary Sewer Backup Claim Policy

On occasion, private homes and buildings experience backups of sanitary waste as a result of blockages, sewer cleaning activities, lift station malfunctions or damaged sewer pipes in the City sanitary sewer mains. Property damages from such backups are not recognized as a City responsibility unless there is a defect in the construction or maintenance of the municipal sewer system of which the City was on notice (State of Michigan Public Act 222 of 2001). Unless the property owner can prove that the known defect in the sanitary sewer system was the direct cause of the sanitary sewer backup, the City and their insurance carrier will deny any claim for damages or a claim for the deductible portion of a homeowner's insurance policy.

It should also be noted that the City is not responsible for any blockage or defect in the homeowner's private sanitary sewer lateral. That is the responsibility of the homeowner. The lateral is the line that connects the house to the public sanitary sewer which includes the connection to the public sewer main.

Property owners are strongly encouraged to take the following actions to protect against sanitary sewer backups into their homes:

- Placement of a sanitary backflow prevention device in the sanitary sewer lateral line leading into the home. Homes with storm sewer footing drains connected to the sanitary sewer lateral will need to have the footing drains disconnected from the sanitary sewer lateral prior to installing a sanitary backflow device.
- Placement of a drain plug in the basement floor drain when the floor drain is not in use.
- Placement of a standpipe in the basement floor drain when the continual use of a floor drain is desired, such as for a positive drain from a washing machine.
- Should regularly inspect their private sanitary sewer lateral and initiate preventive maintenance programs.

Finally, every homeowner in East Grand Rapids should check with their insurance agent to ensure that their home is covered in case of a sanitary sewer backup by obtaining an insurance rider for sewer backup coverage.

Adopted by the East Grand Rapids City Commission
at their regular meeting held July 5, 2016.

Karen K. Brower, City Clerk

Act No. 222
Public Acts of 2001
Approved by the Governor
January 2, 2002
Filed with the Secretary of State
January 2, 2002
EFFECTIVE DATE: January 2, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Senators Johnson, Hammerstrom, Dunaskiss, Gougeon, Shugars, North and Bullard

ENROLLED SENATE BILL No. 109

AN ACT to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding sections 16, 17, 18, and 19.

The People of the State of Michigan enact:

Sec. 16. As used in this section and sections 17 to 19:

(a) "Affected property" means real property affected by a sewage disposal system event.

(b) "Appropriate governmental agency" means a governmental agency that, at the time of a sewage disposal system event, owned or operated, or directly or indirectly discharged into, the portion of the sewage disposal system that allegedly caused damage or physical injury.

(c) "Claimant" means a property owner that believes that a sewage disposal system event caused damage to the owner's property, a physically injured individual who believes that a sewage disposal system event caused the physical injury, or a person making a claim on behalf of a property owner or physically injured individual. Claimant includes a person that is subrogated to a claim of a property owner or physically injured individual described in this subdivision.

(d) "Contacting agency" means any of the following within a governmental agency:

(i) The clerk of the governmental agency.

(ii) If the governmental agency has no clerk, an individual who may lawfully be served with civil process directed against the governmental agency.

(iii) Any other individual, agency, authority, department, district, or office authorized by the governmental agency to receive notice under section 19, including, but not limited to, an agency, authority, department, district, or office

responsible for the operation of the sewage disposal system, such as a sewer department, water department, or department of public works.

(e) "Defect" means a construction, design, maintenance, operation, or repair defect.

(f) "Noneconomic damages" includes, but is not limited to, pain, suffering, inconvenience, physical impairment, disfigurement, mental anguish, emotional distress, loss of society and companionship, loss of consortium, injury to reputation, humiliation, and other nonpecuniary damages.

(g) "Person" means an individual, partnership, association, corporation, other legal entity, or a political subdivision.

(h) "Serious impairment of body function" means that term as defined in section 3135 of the insurance code of 1956, 1956 PA 218, MCL 500.3135.

(i) "Service lead" means an instrumentality that connects an affected property, including a structure, fixture, or improvement on the property, to the sewage disposal system and that is neither owned nor maintained by a governmental agency.

(j) "Sewage disposal system" means all interceptor sewers, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants, works, instrumentalities, and properties used or useful in connection with the collection, treatment, and disposal of sewage and industrial wastes, and includes a storm water drain system under the jurisdiction and control of a governmental agency.

(k) "Sewage disposal system event" or "event" means the overflow or backup of a sewage disposal system onto real property. An overflow or backup is not a sewage disposal system event if any of the following was a substantial proximate cause of the overflow or backup:

(i) An obstruction in a service lead that was not caused by a governmental agency.

(ii) A connection to the sewage disposal system on the affected property, including, but not limited to, a sump system, building drain, surface drain, gutter, or downspout.

(iii) An act of war, whether the war is declared or undeclared, or an act of terrorism.

(l) "Substantial proximate cause" means a proximate cause that was 50% or more of the cause of the event and the property damage or physical injury.

Sec. 17. (1) To afford property owners, individuals, and governmental agencies greater efficiency, certainty, and consistency in the provision of relief for damages or physical injuries caused by a sewage disposal system event, a claimant and a governmental agency subject to a claim shall comply with this section and the procedures in sections 18 and 19.

(2) A governmental agency is immune from tort liability for the overflow or backup of a sewage disposal system unless the overflow or backup is a sewage disposal system event and the governmental agency is an appropriate governmental agency. Sections 16 to 19 abrogate common law exceptions, if any, to immunity for the overflow or backup of a sewage disposal system and provide the sole remedy for obtaining any form of relief for damages or physical injuries caused by a sewage disposal system event regardless of the legal theory.

(3) If a claimant, including a claimant seeking noneconomic damages, believes that an event caused property damage or physical injury, the claimant may seek compensation for the property damage or physical injury from a governmental agency if the claimant shows that all of the following existed at the time of the event:

(a) The governmental agency was an appropriate governmental agency.

(b) The sewage disposal system had a defect.

(c) The governmental agency knew, or in the exercise of reasonable diligence should have known, about the defect.

(d) The governmental agency, having the legal authority to do so, failed to take reasonable steps in a reasonable amount of time to repair, correct, or remedy the defect.

(e) The defect was a substantial proximate cause of the event and the property damage or physical injury.

(4) In addition to the requirements of subsection (3), to obtain compensation for property damage or physical injury from a governmental agency, a claimant must show both of the following:

(a) If any of the damaged property is personal property, reasonable proof of ownership and the value of the damaged personal property. Reasonable proof may include testimony or records documenting the ownership, purchase price, or value of the property, or photographic or similar evidence showing the value of the property.

(b) The claimant complied with section 19.

Sec. 18. (1) Except as provided in subsection (2), economic damages are the only compensation for a claim under section 17. Except as provided in subsection (2), a court shall not award and a governmental agency shall not pay noneconomic damages as compensation for an event.

(2) A governmental agency remains subject to tort liability for noneconomic damages caused by an event only if the claimant or the individual on whose behalf the claimant is making the claim has suffered death, serious impairment of body function, or permanent serious disfigurement.

(3) In an action for noneconomic damages under section 17, the issues of whether a claimant or the individual on whose behalf the claimant is making the claim has suffered serious impairment of body function or permanent serious disfigurement are questions of law for the court if the court finds either of the following:

(a) There is no factual dispute concerning the nature and extent of the claimant's or the individual's injuries.

(b) There is a factual dispute concerning the nature and extent of the claimant's or the individual's injuries, but the dispute is not material to determining whether the claimant or the individual has suffered a serious impairment of body function or permanent serious disfigurement.

(4) Unless this act provides otherwise, a party to a civil action brought under section 17 has all applicable common law and statutory defenses ordinarily available in civil actions, and is entitled to all rights and procedures available under the Michigan court rules.

Sec. 19. (1) Except as provided in subsections (3) and (7), a claimant is not entitled to compensation under section 17 unless the claimant notifies the governmental agency of a claim of damage or physical injury, in writing, within 45 days after the date the damage or physical injury was discovered, or in the exercise of reasonable diligence should have been discovered. The written notice under this subsection shall contain the content required by subsection (2)(c) and shall be sent to the individual within the governmental agency designated in subsection (2)(b). To facilitate compliance with this section, a governmental agency owning or operating a sewage disposal system shall make available public information about the provision of notice under this section.

(2) If a person who owns or occupies affected property notifies a contacting agency orally or in writing of an event before providing a notice of a claim that complies with subsection (1), the contacting agency shall provide the person with all of the following information in writing:

(a) A sufficiently detailed explanation of the notice requirements of subsection (1) to allow a claimant to comply with the requirements.

(b) The name and address of the individual within the governmental agency to whom a claimant must send written notice under subsection (1).

(c) The required content of the written notice under subsection (1), which is limited to the claimant's name, address, and telephone number, the address of the affected property, the date of discovery of any property damages or physical injuries, and a brief description of the claim.

(3) A claimant's failure to comply with the notice requirements of subsection (1) does not bar the claimant from bringing a civil action under section 17 against a governmental agency notified under subsection (2) if the claimant can show both of the following:

(a) The claimant notified the contacting agency under subsection (2) during the period for giving notice under subsection (1).

(b) The claimant's failure to comply with the notice requirements of subsection (1) resulted from the contacting agency's failure to comply with subsection (2).

(4) If a governmental agency that is notified of a claim under subsection (1) believes that a different or additional governmental agency may be responsible for the claimed property damages or physical injuries, the governmental agency shall notify the contacting agency of each additional or different governmental agency of that fact, in writing, within 15 business days after the date the governmental agency receives the claimant's notice under subsection (1). This subsection is intended to allow a different or additional governmental agency to inspect a claimant's property or investigate a claimant's physical injury before litigation. Failure by a governmental agency to provide notice under this subsection to a different or additional governmental agency does not bar a civil action by the governmental agency against the different or additional governmental agency.

(5) If a governmental agency receives a notice from a claimant or a different or additional governmental agency that complies with this section, the governmental agency receiving notice may inspect the damaged property or investigate the physical injury. A claimant or the owner or occupant of affected property shall not unreasonably refuse to allow a governmental agency subject to a claim to inspect damaged property or investigate a physical injury. This subsection does not prohibit a governmental agency from subsequently inspecting damaged property or investigating a physical injury during a civil action brought under section 17.

(6) If a governmental agency notified of a claim under subsection (1) and a claimant do not reach an agreement on the amount of compensation for the property damage or physical injury within 45 days after the receipt of notice under this section, the claimant may institute a civil action. A civil action shall not be commenced under section 17 until after that 45 days.

(7) This section does not apply to claims for noneconomic damages made under section 17.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

.....
Governor.



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

MEMORANDUM

TO: Mayor and City Commissioners
FROM: Karen Brower, City Clerk
DATE: June 28, 2016

RE: Election of President

Action Requested: That the City Commission elect a president to serve in the absence of the Mayor for FY 2016-17.

Background: The City Charter requires that the City Commission name a commissioner to preside over meetings and assume other duties in the absence of the Mayor. This is to be done at the first meeting of each fiscal year.

Brian Donovan, City Manager

/9157

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 20, 2016

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Duncan, Hamrick, Skaggs, Zagel, and Mayor Seibold

Absent: Commissioner Miller

Also Present: City Attorney Huff; City Manager Donovan; Assistant City Manager LaFave; Public Safety Director Herald; Finance Director Mushong; City Clerk Brower; Detective Lindner; Sergeant Davis; PSO Moore

2016-57. No public comment was received.

2016-58. Commissioner Skaggs thanked Mayor Seibold for securing the sponsorship of Mary Free Bed for the 4th of July activities.

Commissioner Zagel expressed condolences to the City of Orlando after the recent tragedies there and thanked Mayor Seibold for her public statement on this issue. He also sent the best wishes of the city commission to former Grand Rapids Mayor John Logie as he deals with serious health issues.

City Manager Donovan thanked citizens for their patience during the construction project and thanked everyone for respecting the detour so that the construction crews can work on this project safely.

Mayor Seibold thanked Mary Free Bed Hospital for agreeing to sponsor the 4th of July activities in East Grand Rapids this year and noted both the city and Mary Free Bed were celebrating their respective 125th anniversaries in 2016.

2016-59. Public Safety Director Herald and Mayor Seibold presented a "Meritorious Service" award to Public Safety Detective Mark Lindner for his perseverance and hard work relating to bringing charges in a sexual assault cold case from 2001.

2016-60. Acceptance of artwork donation for Community Center.

City Manager Donovan explained the proposal to install a life-size pencil drawing of employees of Consumers Ice Company from the early 19th century in the lobby of the community center. Artist Chris LaPorte and City Historian Mary Dersch both spoke about the historical significance of the artwork and the proposal to raise funds for the purchase and installation at the community center.

2016-60-A. Zagel-Duncan. That a letter of understanding with Chris LaPorte for the donation of a large pencil drawing to be placed in the Community Center be approved as set forth in Exhibit "A" attached hereto.

Yeas: Dills, Duncan, Hamrick, Skaggs, Zagel and Seibold – 6

Nays: -0-

2016-61. Duncan-Hamrick. To approve the consent agenda as follows:

2016-61-A. To approve the minutes of the regular and special meetings held June 6, 2016.

2016-61-B. Report of Finance Committee on disbursement of funds: payroll disbursements of \$215,738.66; county and school disbursements of \$-0-, and total remaining disbursements of \$650,945.45.

2016-61-C. Advisory board appointments as follows:

Planning Commission	Kevin Brant, 2960 Oakwood Tom Getz, 665 Plymouth Mary Mapes, 2405 Oakwood	Three-year terms ending 6/30/19
Parks & Recreation Comm.	Brad Andrzejewski, 3105 Bonnell Dirk Buth, 1900 San Lu Rae Richard Sprague, Jr., 2332 Burchard Stacey Wykoski, 2311 El Dorado Carol Campbell, 2109 Elmwood	One-year terms ending 6/30/17
Library Commission	Micki Benz, 817 Gladstone Betsy Brown, 1410 Sherwood Carol Donovan, 2944 Hall Judy Freeman, 425 Cambridge Azizah Hines, 2244 Hall Ellen Schendel, 429 Briarwood Christopher Smith, 461 Lakeside	One-year terms ending 6/30/17
Board of Review	Paul Howland, 2809 Woodcliff Circle Ann Nowak, 1033 San Lucia Stephen MacGuidwin, 2559 Lake Dr	One-year terms ending 6/30/17
Construction Board Of Appeals	Eric Hughes, 2722 Richards Brian Johnson, 709 Gadstone Nick Nicola, 810 Cambridge	Two-year terms ending 6/30/18

2016-61-D. A resolution amending the FY 2015-16 budget for the quarter ending June 30, 2106 as set forth in Exhibit "B" attached hereto.

2016-61-E. The selection of VanWyk Risk Solutions as the agent of record for the City's property and casualty insurance effective July 1, 2016.

2016-61-F. A contract with Lodestar Construction of Grand Rapids in the amount of \$1,057,270 plus contingencies of \$85,000 for water main replacements on Conlon and Rosewood, and to approve engineering, inspection and testing expenses of \$95,000 to Moore & Bruggink Engineering.

2016-61-G. A contract with Reith-Riley Construction in the amount, including contingencies, of \$285,184.12, for local street projects on Conlon, Rosewood, Manhattan and Gilmour, and a contract with Strawser Construction in the amount, including contingencies, of \$22,300, for cape sealing on Robinson and Oxford.

2016-61-H. The Public Safety Department's quarterly report for the period ended March 31, 2016.

2016-61-I. The preliminary minutes of the Planning Commission meeting held May 12, 2016.

2016-61-J. The preliminary minutes of the Joint Facilities Committee meeting held May 24, 2016.

Yeas: Dills, Duncan, Hamrick, Skaggs, Zagel and Seibold – 6

Nays: -0-

2016-61-K.Duncan-Zagel. Motion to enter into an executive session to discuss an attorney's opinion and to conduct a periodic personnel evaluation of the City Manager in accordance with Sections 8(h) and 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Duncan, Hamrick, Skaggs, Zagel and Seibold – 6

Nays: -0-

The meeting adjourned at 6:17 p.m., subject to the call of the Mayor until June 20, 2016.

Karen K. Brower, City Clerk

Attachments: A – Letter of Understanding for artwork donation
B – Resolution amending FY 2015-16 budget

Attachments listed above are available for inspection at the office of the City Clerk.

Letter of Understanding

East Grand Rapids Ice Breakers Pencil Drawing

I. Artwork Overview

The proposed piece is a life size portrait drawing of the Icebreakers from 1910 (see image below). This monumental piece is a pencil drawing on paper, sized approximately 12 feet by 8 feet (drawn life-size to scale) and drawn consistent with the 2010 ArtPrize winner, Cavalry.



II. Location

The drawing and case will be located in the upper level rotunda area against the library brick wall next to the stairs. A representative from Moore & Bruggink will review this location and the case design and determine if it can safely be displayed there. If the representative determines it cannot be displayed at this location, then the City Manager and Artist will work to find another location in the East Grand Rapids Community Center. If another location is not found or is unacceptable to either party, then the agreement will be terminated.

III. Design and Materials

The aim of the drawing was to bring to life the individual characters of the 1910 Icebreakers, and to bring the viewer “into” the drawing as if they were a part of the moment. The artist was faithful to the image source when possible, and relied on invention and artistic license when necessary--due to the limited information in the source image. The image was drawn using layers of cross hatching, “building” the drawing with visual and psychological depth. The drawing is done in three 4 foot by 8 foot panels that will overlap and be seamed together upon installation.

The life size drawing is done on heavy weight Farbirano Artistico Hot Press, 100% cotton paper. The artist used 2H Staedler pencils to complete the work.

IV. Installation

The installation of Cavalry can be used as a baseline example, however, appropriate installation for this piece will be determined based upon the space in which it will reside. There will be several items to consider when determining proper installation. Some of these items should include:

- Lighting
- Consistent climate control
- Who will assist with the installation alongside the artist
- Security
- Building code restrictions

The completed size after final installation, including the case built around the drawing, will be 13' 4" x 9' 4". The case will come out from the wall approximately 3 ½" and the footer on which the case sits will come out from the wall approximately 10".

V. Ownership

Upon completion of the installation of the drawing at the East Grand Rapids Community Center, the drawing will become the property of the City of East Grand Rapids.

VI. Maintenance

Necessary maintenance and upkeep will be determined by the way in which the drawing is installed and protected. Upon completion of installation all ongoing and necessary maintenance will be the responsibility of the City of East Grand Rapids and will be handled by the individual/team of their choosing. The artist will work with the City of East Grand Rapids after installation to determine proper care and upkeep moving forward.

VII. Budget

1910 Icebreakers life size drawing

Total: \$50,000.00

Installation and framing costs are included in the budget listed above. Fundraising for the cost of the drawing and installation are the responsibility of the artist. Installation can begin when 90% of the total cost has been secured.

VIII. Additional Details

- The artist will share image rights of the final large scale drawing with the City of East Grand Rapids for promotional purposes only.
- The artist retains exclusive reproductive rights of the drawing for the sale of prints.
- The artist is open to participate in any media and/or marketing and promotional opportunities that may benefit the organization.
- The artist is open to the discussion of a time lapse video of the process, to be used upon completion of the project.
- The City will pay for a small plaque to be placed by the drawing. The artist will provide a brief description of the drawing that will printed on the plaque.

Amna P. Seibold, Mayor

Chris LaPorte, Artist

RESOLUTION 2015-_____
RESOLUTION AMENDING FY 2015-2016 FISCAL YEAR BUDGET

The following resolution was offered by Commissioner_____, and supported by Commissioner _____;

- WHEREAS, it is necessary to amend the appropriations of the City's budget by making the proper adjustments and transfers where necessary; and
- WHEREAS, that various funds may require a change in appropriations due to a change in unanticipated costs incurred; and
- WHEREAS, departments have reviewed their budget and are proposing the adjustments to be made; and
- WHEREAS, the City Manager has reviewed the amendments and is recommending that the adjustments be made; and
- WHEREAS, the Commission may adopt general funds* and special revenue funds* for FY 2015-2016 by departmental appropriation subtotal as presented in attached information; and
- WHEREAS, the Commission may adopt the non-general funds and non-special revenue funds for FY 2015-2016 by fund total;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Grand Rapids that the budget be amended as follows:

		Amended Budget	Proposed Amendments	Proposed Budget
GENERAL FUND*	Revenues	10,950,500	2,000	10,952,500
	Expenditures	<u>10,960,500</u>	<u>12,000</u>	<u>10,972,500</u>
	Fund Balance Change	<u>(10,000)</u>	<u>(10,000)</u>	<u>(20,000)</u>
MAJOR STREET*	Revenues	945,600	212,300	1,157,900
	Expenditures	<u>945,600</u>	<u>212,300</u>	<u>1,157,900</u>
	Fund Balance Change	<u>1,891,200</u>	-	-
LOCAL STREET*	Revenues	1,350,500	8,400	1,358,900
	Expenditures	<u>1,524,200</u>	<u>8,400</u>	<u>1,532,600</u>
	Fund Balance Change	<u>(173,700)</u>	-	<u>(173,700)</u>
MUNICIPAL STREET*	Revenues	1,348,300	53,500	1,401,800
	Expenditures	<u>1,348,300</u>	<u>253,500</u>	<u>1,601,800</u>
	Fund Balance Change	-	<u>(200,000)</u>	<u>(200,000)</u>
WATER AND SEWER	Revenues	3,770,200	14,000	3,784,200
	Expenditures	<u>4,352,300</u>	<u>414,000</u>	<u>4,766,300</u>
	Fund Balance Change	<u>(582,100)</u>	<u>(400,000)</u>	<u>(982,100)</u>
HEALTH CARE	Revenues	1,701,400	20,000	1,721,400
	Expenditures	<u>1,651,400</u>	<u>20,000</u>	<u>1,671,400</u>
	Fund Balance Change	<u>50,000</u>	-	<u>50,000</u>
MERF	Revenues	741,300	27,500	768,800
	Expenditures	<u>1,132,600</u>	<u>(72,500)</u>	<u>1,060,100</u>
	Fund Balance Change	<u>(391,300)</u>	<u>100,000</u>	<u>(291,300)</u>
SPECIAL ASSESSMENT	Revenues	9,500	8,800	18,300
	Expenditures	<u>9,500</u>	<u>8,800</u>	<u>18,300</u>
	Fund Balance Change	<u>-</u>	<u>-</u>	<u>-</u>

AYES:
NAYS:
ABSENT:

I, Karen Brower, the duly appointed Clerk of the City of East Grand Rapids, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City of East Grand Rapids at a Regular Meeting held _____, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF EAST GRAND RAPIDS

BY: _____

Karen K. Brower, City Clerk



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 6/13/2016

RE: Street/Drainage Repairs-Beechwood and Lake Grove

Action Requested: That the City Commission approve expenses related to street/sidewalk/storm sewer structure on Lake Grove and Beechwood in the amount of \$12,370.25 to Lodestar Construction, INC of Grand Rapids, MI, which will be cost shared with DTE in the amount of \$6,185.13.

Background: This past year Miller Pipeline, a subcontractor for DTE, replaced gas main on Beechwood and as part of the restoration replaced several sidewalk ramps, sidewalk and a portion of Beechwood and Lake Grove. Over this past fall/winter/spring the drainage in this area has not functioned properly. After staff and contracted engineers shot grades it was determined that part of what was causing the issue was related to the elevation of restoration items by Miller Pipeline, but also a portion of City curb/gutter and the condition of a catch basin were contributing to the problem. City staff discussed an equitable cost share with DTE and the repairs were made by Lodestar Construction INC, utilizing pricing from the recent sidewalk replacement program contract. The City will be invoicing DTE for half of the expenses related to the repairs in the amount of \$6,185.13.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 6/13/2016

RE: Insertion Valve Installation-Water System

Action Requested: That the City Commission approve the expense related to the installation of an insertion valve for the water system to City Services, INC of Grand Rapids, MI in the amount of \$5,200 for an emergency repair.

Background: During routine flushing and valve exercising in May, a water valve failed on Berwyk/Danby which required public works staff to temporarily plug the valve. The City of Grand Rapids and East Grand Rapids had interconnect water valves open to assist Grand Rapids with water pressure for a water main replacement project in Grand Rapids. Valves in the adjacent area are no longer functional and are slated for replacement with the Conlon Ave water main project this summer. With both of these issues present, the only way to isolate the valve in need of repair was to have a contractor come in and install a live tap insertion valve. Once the valve was installed, public works staff members were able to isolate the valve that had failed so repairs could be made.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 6/1/2016

RE: Unpaved Gravel Roads

Action Requested: That the City Commission approve expenses related to improvements of unpaved gravel roads to the Kent County Road Commission in the amount of \$33,606.49.

Background: The City of East Grand Rapids currently has six unpaved roads. These unpaved roads (in whole or in part) are Pioneer Club Road, Lakewood Drive, Durant Street, El Dorado Drive, Beechwood Drive and Reeds Lake Boulevard.

The City does not have equipment like live bottom feed trailers, road graders and pneumatics rollers that are typically used to place gravel/millings, grade and compact material on unpaved roads. The Kent County Road Commission has the appropriate equipment and experience to maintain unpaved gravel roads. By collaborating with the Kent County Road Commission the City is able to adequately maintain unpaved gravel roads in the City.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager